

CANADA

COURT OF APPEAL OF QUEBEC

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PROVINCE OF QUEBEC  
REGISTRY OF [MONTRÉAL ou QUÉBEC]

**[YOUR NAME]**,  
domiciled and residing at [your address],  
district of [name of judicial district]

No.: C.A.: [leave empty]

[C.Q. or S.C.]: [file number in first  
instance]

APPELLANT – Accused

v.

**HER MAJESTY THE QUEEN**

RESPONDENT – Prosecutrix

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**NOTICE OF APPEAL FROM A CONVICTION ON A GROUND THAT INVOLVES A  
QUESTION OF LAW ALONE**

**(Section 675(1)(a)(i) of the *Criminal Code*)**

On [date on which the pleading is signed]

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**I – FACTS**

1. On [date on which you appeared], the appellant appeared in [city where you appeared], judicial district of [name of district], regarding file number [file number] of the [trial court], on the following counts:
  - (a) **Count No. 1:** [insert the text of the offence];
  - (b) **Count No. 2:** [...].
2. On [date on which you stood trial], the appellant stood trial on the counts described in the first paragraph before the Honourable [name of judge] of the [trial court] at the [name of city] Courthouse, judicial district of [name of district].
3. On [date of judgment], the trial judge found the appellant:
  - (a) **Count No. 1:** [indicate the judge's verdict on each count];
  - (b) **Count No. 2:** [...].
4. The trial lasted for [precise the duration of the trial] days.

5. On [date of sentencing], the appellant was sentenced to:

(a) **Count No. 1:** [sentence imposed for each count];

(b) **Count No. 2:** [...].

[OR]

At the time of drafting of this notice of appeal, the sentence had not yet been imposed.

6. The present file does not contain confidential information.

[OR]

The present file contains confidential information: [indicate which aspects of the file are confidential and set out the legal provision or order that is the basis of the confidentiality (attach a copy of the order, if applicable)].

## **II – GROUNDS OF APPEAL**

7. The appellant submits that the trial judge erred in law and wishes to appeal the conviction on the following grounds:

**7.1** The trial judge erred in law by concluding that [...];

**7.2** The trial judge erred in law by concluding that [...].

8. At trial, the appellant was represented by Mtre [name of counsel], whose offices are located at [counsel's address];

[OR]

At trial, the appellant was not represented by counsel;

9. At trial, the respondent was represented by Mtre [name of counsel], criminal and penal prosecuting attorney, whose offices are located at [address of the respondent's counsel].

**FOR THESE REASONS, MAY IT PLEASE THE COURT TO:**

**ALLOW** the appeal;

**SET ASIDE** the conviction entered by the trial judge on [date of judgment];

**SUBSTITUTE** an acquittal in the judgment rendered by the trial judge;

[OR]

**ORDER** a new trial;

**ISSUE** any order required in the interest of justice.

On [date on which the pleading was signed], in [name of city].

[your signature]

\_\_\_\_\_

[your name]

Appellant

[your address]

[your phone number]

[your fax number, if applicable]

[your email address]

No.: C.A.: [leave empty]  
[SC or CQ] ([indicate file number(s) in first instance])

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COURT OF APPEAL OF QUEBEC  
REGISTRY OF [MONTREAL or QUEBEC]

---

**[YOUR NAME]**

APPELLANT – Accused

v.

**HER MAJESTY THE QUEEN**

RESPONDENT – Prosecutrix

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**NOTICE OF APPEAL FROM A CONVICTION ON A GROUND  
THAT INVOLVES A QUESTION OF LAW ALONE**

**(Section 675(1)(a)(i) of the *Criminal Code*)**

On [date on which the pleading is signed]

Appellant

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[ORIGINAL or COPY]

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[your name]  
[your address]  
[your phone number]  
[your fax number, if applicable]  
[your email address]

## **REMARKS**

### **Format**

- Pleadings shall be drafted on a good quality white letter paper (21.5 cm by 28 cm) (s. 18 para. 1 of the *Rules of the Court of Appeal of Quebec in Criminal Matters (R.C.A.Q.C.M.)*);
- The text shall be reproduced on one side only of each sheet, with a minimum of one and one-half spaces between the lines, except for quotations, which shall be single-spaced and indented. The typeface shall be 12-point Arial font for the entire text. Exceptionally, 11-point Arial font may be used for quotations and 10-point Arial font may be used for footnotes (s. 18 para. 2 *R.C.A.Q.C.M.*);
- The margins shall be no less than 2.5 cm (s. 18 para. 2 *R.C.A.Q.C.M.*);
- All pleadings shall be signed by the party or that party's counsel (s. 18 para. 3 *R.C.A.Q.C.M.*);
- Motions shall not exceed 10 pages, excluding the designation of the parties and the conclusions sought (s. 47) *R.C.A.Q.C.M.*)

### **Confidentiality**

- The notice of appeal shall include an express reference that the file contains no confidential information. If any part of a file is confidential, the pleadings shall include an express reference to this effect, clearly indicate which aspects of the file are confidential and set out the legal provision or order that is the basis of the confidentiality. The respondent shall indicate any correction it deems necessary (s. 9 para. 1 *R.C.A.Q.C.M.*).
- Each pleading which refers to something confidential must call attention to confidentiality with the word "CONFIDENTIAL" written beneath the court record number (s. 9 para. 2 *R.C.A.Q.C.M.*).

### **Service**

- If the appellant is the accused and is not represented by counsel, service shall be effected by the clerk who shall send the notice of appeal to the respondent (s. 23 para. 1 and 26 *R.C.A.Q.C.M.*).

### **Filing**

- The notice of appeal shall be filed at the Office of the Court of Appeal within 30 days from the judgment (s. 23 *R.C.A.Q.C.M.*).
- The notice of appeal shall be filed at the Office of the Court:
  - in 5 counterparts (1 original and 4 copies) if the appellant is not represented by counsel (s. 25 *R.C.A.Q.C.M.*);
  - in 4 counterparts (1 original and 3 copies) if the appellant is represented by counsel (s. 25 *R.C.A.Q.C.M.*).

**WARNING:** THIS TEMPLATE DOES NOT EXEMPT THOSE WHO USE IT FROM READING THE APPLICABLE LEGISLATION. IT IS AVAILABLE TO FACILITATE THE PREPARATION OF PLEADINGS. EVERY PLEADING MUST BE SUBMITTED TO THE CLERK, WHO MAY REFUSE IT OR REQUIRE MODIFICATIONS IF THE PLEADING DOES NOT COMPLY WITH THE APPLICABLE LEGISLATION.

DO NOT INCLUDE